

Message

From: Glenn, Olivia [Glenn.Olivia@epa.gov]
Sent: 5/1/2023 1:47:49 PM
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Subject: FW: Governor Murphy Announces Nation's First Environmental Justice Rules to Reduce Pollution in Vulnerable Communities

Good morning Sonal!

Below, you will see the email sent by NJDEP announcing the finalization of the EJ rules that we discussed during our virtual meeting today. Thanks, and please let me know if you have any questions.

All the best,
Olivia Glenn

Olivia C. Glenn *(she/her/hers)*



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From: NJ Department of Environmental Protection <NJDEP@public.govdelivery.com>
Sent: Monday, April 17, 2023 3:01 PM
To: Glenn, Olivia <Glenn.Olivia@epa.gov>
Subject: Governor Murphy Announces Nation's First Environmental Justice Rules to Reduce Pollution in Vulnerable Communities

Governor Murphy Announces Nation's First Environmental Justice Rules to Reduce Pollution in Vulnerable Communities

TRENTON – On the first day of Earth Week, Governor Phil Murphy today announced the final adoption of regulations to implement New Jersey's landmark Environmental Justice (EJ) Law. The EJ Law and implementing rules are the first in the nation aimed at reducing pollution in historically overburdened communities and communities of color that have been subjected to a disproportionately high number of environmental and public health stressors.

The EJ Rules were developed by the New Jersey Department of Environmental Protection (DEP) through an extensive stakeholder process that brought together affected communities, environmental and public health advocates, and leaders in business and industry to offer critical insights that shaped the regulations. Effective upon their publication in the New Jersey Register today, the EJ Rules pioneer a community-first approach to planning and permitting certain pollution-generating facilities. First, the rules require enhanced upfront community engagement before such facilities are proposed in the state's overburdened communities. Second, using community-level environmental and public health data available through DEP's Environmental Justice Mapping, Assessment and Protection (EJMAP) tool, the EJ Rules direct permit applicants to avoid and minimize environmental and public health stressors and enable the DEP to establish permit conditions that better protect vulnerable communities.

Under the EJ Rules, when proposing to locate certain pollution-generating facilities in an overburdened community, an applicant must prepare an environmental justice impact statement and engage directly with members of their proposed host community by hosting a public hearing. The applicant must collect all public comments and respond to them in

writing. DEP will then evaluate whether pollution from the proposed facility would cause or contribute to environmental and public health stressors at levels disproportionate to those in less burdened communities. The EJ Rules require permit applicants to avoid and minimize such stressors, including through the use of added pollution control technology. Where disproportionate impacts are not avoidable, certain new facilities could be limited, or existing facilities could be subject to additional permit conditions that reduce environmental and public health stressors affecting the community.

Governor Murphy signed the nation's strongest EJ Law in 2020 to address inequities inherent to preexisting environmental laws. Historically, New Jersey's overburdened communities and communities of color have been subject to a disproportionately high number of environmental and public health stressors, including pollution from numerous industrial, commercial, and governmental facilities. As a result, residents in the State's overburdened communities have suffered from increased adverse health effects. The EJ Law enhances existing environmental laws that did not previously enable DEP to consider environmental and public health stressors on a community level and empowers DEP to evaluate pollution potential on a facility-wide basis and apply conditions that will help facilities avoid and minimize adverse impacts.

There are eight types of facilities covered by the EJ Rules:

1. Major sources of air pollution (i.e., gas fired power plants and cogeneration facilities);
2. Resource recovery facilities or incinerators; sludge processing facilities;
3. Sewage treatment plants with a capacity of more than 50 million gallons per day;
4. Transfer stations or solid waste facilities;
5. Recycling facilities that receive at least 100 tons of recyclable material per day;
6. Scrap metal facilities;
7. Landfills; or
8. Medical waste incinerators, except those attendant to hospitals and universities.

To support implementation of the EJ Rules, the DEP developed the Environmental Justice Mapping, Assessment and Protection (EJMAP) tool to help users locate overburdened communities, identify covered facilities within those communities, and analyze relative environmental and public health stressors impacting those communities. To learn how EJMAP works, [view this tutorial](#).

To learn more about the adopted Environmental Justice Rules, read the frequently asked questions and visit <https://dep.nj.gov/ej/law/>.

To learn about and participate in public hearings regarding facilities that are subject to the EJ Law, [sign up to receive automated email notifications by county](#).

To learn more about environmental justice in New Jersey, visit DEP's Office of Environmental Justice.

Subscribe to OEJ's bi-weekly newsletter to stay informed of environmental justice opportunities, resources, and updates.



Office of Environmental Justice

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